Bricce Hi, J. 4

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL FIDELITY INSURANCE COMPANY,

-X Tase No.:05
7:12-CV-00232-VB

Plaintiff,

STIPULATION AND ORDER

- against -

AMERICAN INSTITUTE OF STEEL CONSTRUCTION; BDO USA, LLP: FRAGOMEN, DEL REY, BERNSEN & LOEWY, P.C.; GUARDIAN INDUSTRIES CORP.; H. MUEHLSTEIN & CO., INC.; H.H. BROWN FINANCIAL SYSTEMS: HARBOR FOOTWEAR GROUP; HENRY SCHEIN, INC.; INGERSOLL RAND; JAB USA, INC.; JOHNSON CONTROLS; MARINSTEIN & MARINSTEIN, ESQS., PLLC; PACE MOTOR LINES, INC.; PENTLAND USA, INC.; SAMMARCO STONE & SUPPLY; SERVICE CENTER METALS; STEVEN SUPPLY CO., INC.; TAMMINA SOLUTIONS, LLC; THULE, INC.; U.F. FACTORS CO.; UNIMIN CORPORATION, UNITED REFRIGERATION; VAN DEUSEN & ASSOCIATES; VERITEXT NATIONAL **DEPOSITION & LITIGATION SERVICES;** WELLS FARGO CAPITAL FINANCE, and JOHN DOES 1-10,

LY FILED
33/12/

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for plaintiff, International Fidelity Insurance Company, and defendant, JAB USA, Inc., as follows:

1. The time for JAB USA, Inc. to answer, move or otherwise respond to the Amended Interpleader Complaint in this action is extended to and including March 12, 2012, subject to this Court's approval.

- 2. The original date by which JAB USA, Inc. was required to respond to the Amended Interpleader Complaint was February 27, 2012.
  - 3. There have been no prior requests for an extension.
- 4. The reasons for the instant request for an extension of time are that additional time is needed to prepare JAB USA, Inc.'s response to the Amended Interpleader Complaint and to explore whether an amicable resolution of this interpleader action can be reached.

Dated: New York, New York February 23, 2012

WOLFF & SAMSON PC

CARTER LEDYARD & MILBURN LLP

By: /s/ Michael D. Fleischman
Michael D. Fleischman
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By: /s/ Mark R. Zancolli
Mark R. Zancolli
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SO ORDERED:

Hon. Vincent L. Briccetti, U.S.D.J.

Dares: 2/2